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REMARKS

This response is intended as a full and complete reply to the Office Action dated April 27, 2004. In view of the following discussion, the Applicant believes that all claims are now in allowable form.

TITLE

The Title stands objected to for not being descriptive. In response, the Applicant has amended the title to read, "DATA STORAGE SYSTEM HAVING THERMALLY ACTIVATED READOUT". Accordingly, the Applicant respectfully requests that the objection be withdrawn.

DRAWING OBJECTIONS

The drawings stand objected to by the Examiner. Specifically, the Examiner indicates that the reference numeral "30" is missing from Figure 2. The Applicant has provided a Replacement Figure 2 illustrating the magnet 30. Accordingly, the Applicant respectfully requests that the objection be withdrawn.

SPECIFICATION OBJECTIONS

The Abstract of the specification has been amended to be less than 150 words. The Applicant believes that the Abstract is fully supported by the specification and that no new matter has been added. Accordingly, the Applicant respectfully requests that the objection be withdrawn.

IN THE CLAIMS

Claim 16 has been amended to correct a minor typographical error. The Applicant submits that claim 16 has been amended for reasons unrelated to patentability and that no new matter has been added.

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CLAIM REJECTIONS

35 U.S.C. §112 Claims 1-18

Claims 1-18 stand rejected under 35 U.S.C. §112. Specifically, the Applicant has cancelled claims 1-7 without prejudice and have amended claim 18 to more clearly define the write layer as having "high coercivity" and "high write temperature" as indicated in the list of claims. The claim 17 has been amended to correct claim dependency.

Thus, the Applicant submits that claims 8-18 are in allowable form. Accordingly, the Applicant respectfully requests that the rejection be withdrawn.

35 U.S.C. §103 Claims 1-2, 7 and 18

Claims 1-2, 7 and 18 stand rejected as being unpatentable over United States Patent Application Patent No. 6,141,297, to *Kim* (hereinafter referred to as "*Kim*"). In response the Applicant has cancelled claims 1-2 and 7 without prejudice, and has amended claim 18 to more clearly recite aspects of the invention.

Claim 18 as amended, recited limitations not taught or suggested by *Kim*. *Kim* does not teach or suggest a copy layer disposed above a write layer that is disposed above a substrate, a flying head disposed above the copy layer and write layer and carrying thereon the source of heat for heating a selected spot on the copy layer and write layer for reading data from the write layer, and wherein the write layer comprises a ferromagnetic material having a high coercivity at room temperature and a high write temperature, and wherein the copy layer comprises a ferromagnetic material always having a lower coercivity than the write layer at a given temperature, and responsive to a certain defined temperature substantially less than the write temperature of the write layer to be coupled to the write layer, as recited by claim 18.

Thus, the Applicant submits that claim 18 is patentable over *Kim*. Accordingly, the Applicant respectfully request the rejection be withdrawn.

35 U.S.C. §103 Claims 3-6 and 17

Claims 3-6 and 17 stand rejected as being unpatentable over *Kim* in view of United States Patent Application Patent No. 5,593,789, to *Utsunomiya et al.*,

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(hereinafter referred to as "*Utsunomiya*"). In response the Applicant has cancelled claims 3-6 without prejudice. Claim 8 has been rewritten in independent form and amended to overcome the rejection under 35 U.S.C. §112. Claim 17 has been amended to depend from claim 8.

The Examiner has indicated that claim 8, as amended, is allowable over the art of record. Thus, the Applicant submits that claim 17, which depends from claim 8, is also allowable over *Kim* in view of *Utsunomiya*. Accordingly, the Applicant respectfully requests the rejection be withdrawn.

ALLOWED AND NEW CLAIMS

The Applicant thanks the Examiner for his comments regarding the allowability of claims 8-16 if rewritten to overcome the rejection under 35 U.S.C. §112 and to include all the limitation of the base and intervening claims. As suggested, claim 8 has been rewritten in independent form. Claim 14 has also been rewritten in independent form as new claim 24.

New claims 19-57 have been added. The Applicant submits that new claims 19-57 are fully supported by the specification and that no new matter has been entered. Specifically, new claims 19-23 depend directly or indirectly from claim 8 and recite the limitations of cancelled claims 2-6. New claims 25-30 depend directly or indirectly from claim 24 and recite the limitations of cancelled claims 2-7. New claim 31 depends from claim 30 and recites the limitations of claims 8-9. New claims 31-38 depend directly or indirectly from claim 24 and recite the limitations of claims 10-13 and 14-17. New claims 39-41 depend respectively from claims 8, 18 and 24, and is supported in the specification at page 8, line 25. New claims 42-57 depend directly or indirectly from claim 18 and recite the limitations of cancelled claims 2-7 and claims 8-17.

Thus, new claims 19-57 are patentable at least by virtue of their dependancy from claims 8, 18 and 24. Accordingly, the Applicant respectfully requests allowance of claims 8-57.


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CONCLUSION

Thus, the Applicant submits that all claims now pending are in condition for allowance. Accordingly, both reconsideration of this application and swift passage to issue are earnestly solicited.

If the Examiner believes that any unresolved issues still exist, it is requested that the Examiner telephone James Sheridan at (650) 330-2310 so that appropriate arrangements can be made for resolving such issues as expeditiously as possible.

Respectfully submitted,


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 Replacement Sheet

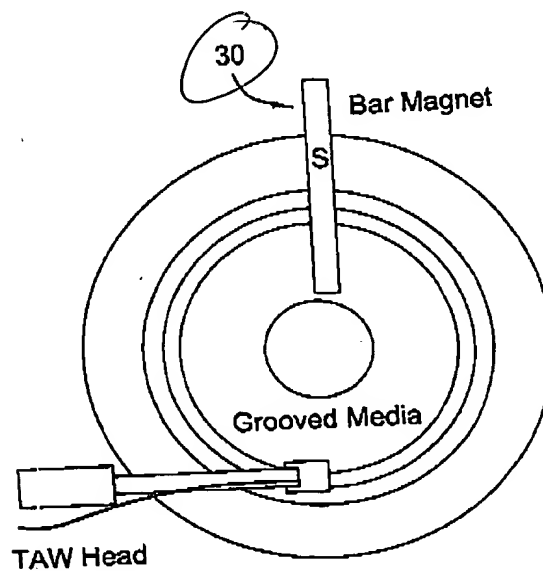
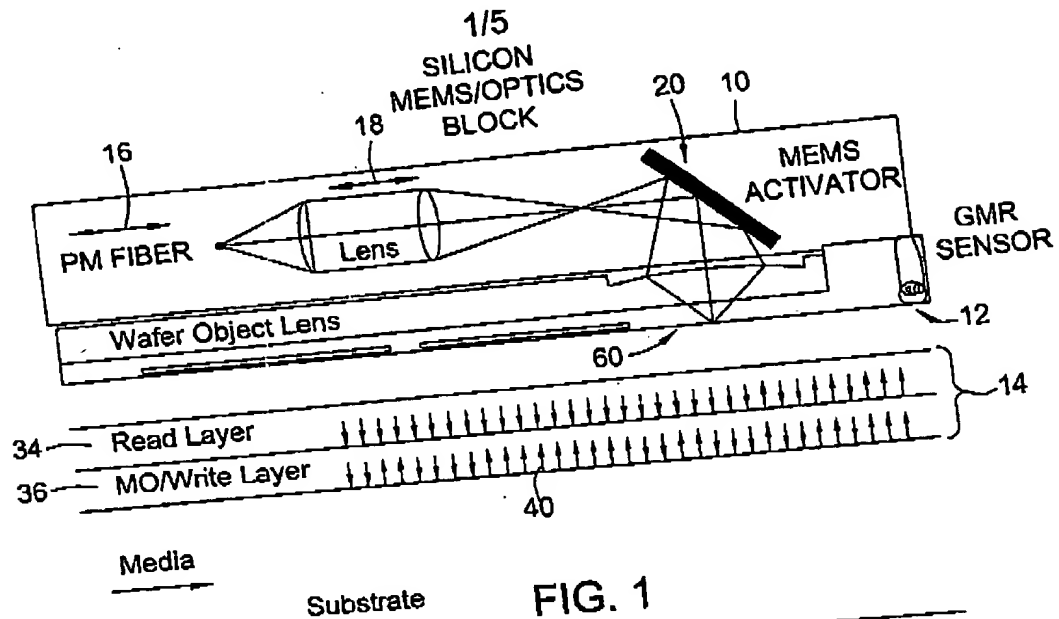


FIG. 2